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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

13 DOUGLAS K. McDANIEL and BRYAN
14 CLARK, on behalf of themselves, all
15 others similarly situated, and the general
public,

16 || Plaintiffs,

17 || VS.

18 WELLS FARGO INVESTMENTS, LLC, a
19 Delaware limited liability company,
20 WELLS FARGO BANK, N.A., a National
21 Association, WELLS FARGO
ADVISORS, LLC, formerly known as
Wachovia Securities, LLC, a Delaware
limited liability company, and DOES 1
through 50 inclusive,

Defendants.

CASE NO. CV 10-4916 SC

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE (1) THE
HEARING DATE ON DEFENDANTS'
MOTION TO TRANSFER CASE; AND (2)
CASE MANAGEMENT CONFERENCE**

1 WHEREAS, Plaintiffs have filed the instant putative class action relating to their
2 employment with Defendants;

3 WHEREAS, on December 3, 2010, Defendants filed a motion to transfer this action to the
4 United States District Court for the Eastern District of California under 28 U.S.C. §1404;

5 WHEREAS, the motion to transfer was noticed, and is currently scheduled, to be heard on
6 January 21, 2011 at 10:00 a.m.;

7 WHEREAS, Plaintiffs have requested that the hearing be moved to a later date in order to
8 accommodate their counsel's schedule and allow them additional time to evaluate the effect that
9 other actions may have on the transfer motion or this case generally;

10 WHEREAS, the parties have contacted the Clerk of the Court to determine alternative
11 hearing dates available;

12 WHEREAS, the parties have agreed and the Court has ordered that Defendant need not
13 respond to the Complaint until the Motion to Transfer is resolved;

14 WHEREAS, a case management conference is currently set for February 11, 2011 at
15 10:00 a.m.;

16 WHEREAS, the parties agree that it would be inefficient to litigate the Rule 12 motion(s)
17 Defendants anticipate and hold a case management conference before the motion to transfer case
18 is decided;

19 NOW THEREFORE, Plaintiffs and Defendants through their counsel of record stipulate
20 to the following and respectfully request an order to this effect:

21 IT IS HEREBY STIPULATED that (1) the hearing on Defendants' motion to transfer case
22 be continued to April 29, 2011 at 10:00 a.m. with the opposition memorandum due on March 28,
23 2011 and the reply memorandum due on April 15, 2011; and (2) the case management conference
24 be continued to May 27, 2011 at 10:00 a.m.

1 DATED: January 7, 2011

Law Offices Of William P. Torngren
WILLIAM P. TORNGREN

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By /s/ William P. Torngren
WILLIAM P. TORNGREN

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Attorneys for Plaintiffs

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DATED: January 7, 2011 Munger, Tolles & Olson LLP

13 **PURSUANT TO STIPULATION, IT IS SO ORDERED,** and (1) the hearing for Defendants' motion to transfer case is continued to April 29, 2011 at 10 a.m., with the Plaintiffs' opposition (if any) due March 28, 2011 and Defendants' reply (if any) due April 15, 2011; and (2) the case management conference currently scheduled for February 10, 2011 is continued to May 27, 2011 at 10:00 a.m., with the associated deadlines continued accordingly.

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¹ I, Malcolm A. Heinicke, am the ECF User whose identification and password are being used to file this STIPULATION AND [PROPOSED] ORDER TO CONTINUE (1) THE HEARING DATE ON DEFENDANTS' MOTION TO TRANSFER CASE; AND (2) CASE MANAGEMENT CONFERENCE. In compliance with General Order 45.X.B., I hereby attest that William P. Torngren concurred in this filing.

